

# EXHIBIT 8

1 SOUTHERN DISTRICT OF NEW YORK

2 UNITED STATES DISTRICT COURT

3 CASE NO. 18-CV-6658 (JSR)

4 CASE NO. 18-CV-10936 (JSR)

5 IN RE: PLATINUM-BEECHWOOD LITIGATION

6 -----  
7 MARTIN TROTT and CHRISTOPHER SMITH,  
8 as Joint Official Liquidators and  
9 Foreign Representatives of PLATINUM  
10 PARTNERS VALUE ARBITRAGE FUND L.P.  
(in Official Liquidation), and  
PLATINUM PARTNERS VALUE ARBITRAGE  
FUND L.P. (in Official Liquidation),

11 Plaintiffs,

12 vs.

13 PLATINUM MANAGEMENT (NY) LLC, et al.,

14 Defendants.

15 -----  
16  
17 30(b)(6) VIDEOTAPED DEPOSITION OF

18 PLATINUM MANAGEMENT NEW YORK, LLC

19 BY JOSEPH SANFILIPPO

20  
21 Friday, December 27, 2019

22 9:30 a.m.

23  
24 Reported by:

25 Joan Ferrara, RMR, FCRR

Job No. 295148

1                   J. SanFilippo

2           A.     Okay.

3           Q.     Do you see what Tab 132 is?

4           A.     I do, yes.

5           Q.     Does it appear to be a side  
6 letter?

7           A.     It appears to be a letter. I  
8 don't know if I would call it a side  
9 letter, but it's definitely a letter --  
10 it's some sort of agreement.

11          Q.     It's some sort of agreement?

12          A.     Yes.

13          Q.     It appears to be, I agree?

14          A.     Yes.

15          Q.     And the signatories are marked  
16 Nordlicht and Mark Feuer?

17          A.     Yes.

18          Q.     You do know who Mark Nordlicht  
19 is?

20          A.     I do know who Mark Nordlicht is.

21          Q.     Okay.

22                   He was the -- let's get the  
23 record -- he was the chief investment  
24 officer of PPVA?

25          A.     He was the chief investment

1                   J. SanFilippo  
2                   officer of Platinum Management New York  
3                   LLC, who was the investment manager of  
4                   PPVA.

5                   Q.     Fine.

6                   And you do know who Mark Feuer  
7                   is?

8                   A.     I know who Mark Feuer is, yes.

9                   Q.     And who was he?

10                  A.     He was a principal at Beechwood.

11                  Q.     Okay.

12                  Assume for the purposes of this  
13                  question that this is a valid document,  
14                  which I will let you know PPVA has  
15                  disputed.

16                  A.     Okay.

17                  Q.     But assume that it was valid.

18                  A.     Okay.

19                  Q.     So how would PPVA -- because you  
20                  just said Platinum is the investment  
21                  manager, right, and it would make reports  
22                  to PPVA, its general partner, right?

23                  A.     That's correct.

24                  Q.     Okay.

25                  And PPVA -- Platinum Management

1 J. SanFilippo

2 MR. GLUCK: So for the record,

3 Tab 2 is a Release Agreement. As we  
4 go through these, the exhibit which is  
5 SF-1, we're referring to documents as  
6 being tab this or tab that.

7 MR. PROVENZANO: Warren, if we  
8 don't have enough copies of the  
9 binder, can you read the control  
10 number into the record?

11 MR. GLUCK: I can. This is  
12 control number BODNER 1.

13 MR. PROVENZANO: Thank you.

14 BY MR. GLUCK:

15 Q. I won't ask you to read the  
16 entire document. What I'll ask you to do  
17 is sort of scan it and let me know, have  
18 you seen this document before?

19 A. All right. What was the  
20 question?

21 Q. Have you seen the document  
22 before?

23 A. It is very possible I've seen  
24 this document before. I don't remember  
25 specifically. But I was familiar with the

1 J. SanFilippo

2 content of this document at some period of  
3 time.

4 Q. Now, what's the content of the  
5 document?

6 A. Basically it is an agreement  
7 between the members, beneficiaries of the  
8 Grantor Trust and all the parties  
9 associated with ownership in Platinum  
10 Management New York and all of the, I'm  
11 going to say all of the management entities  
12 of, we'll call it Platinum Partners.

13 Q. Fine. Let's call it the Platinum  
14 Partners Management companies.

15 A. Yes. That certain of the members  
16 would no longer be beneficial owners and  
17 others would become beneficial owners, I  
18 believe. And when I say "others," I guess  
19 I'm referring to Mr. Fuchs, although I  
20 haven't read this in -- I haven't read  
21 every letter of this document, but that is  
22 my general understanding.

23 Q. Well --

24 A. Or Mr. Fuchs may have already  
25 been a member at this point. This is 2016?

1 J. SanFilippo

2 Q. This is March of 2016.

3 A. Yes.

4 Q. Which is a relevant time period.

5 A. So it's an agreement between the  
6 current members of the management company  
7 at that time period.

8 Q. Okay.

9 A. Which basically states that the  
10 Bodner and Huberfeld-related entities would  
11 no longer be beneficial owners in the  
12 management companies.

13 Q. Okay.

14 A. Through trusts or whatever  
15 entities.

16 Q. This is Bodner and Huberfeld  
17 selling their interests?

18 A. I don't know what -- I really  
19 don't know what the consideration was.

20 MS. FEUERSTEIN: Objection.

21 BY MR. GLUCK:

22 Q. Good, yes. I was just about to  
23 ask.

24 A. So I don't know if it was a sale  
25 or some other agreement or --

1                   J. SanFilippo

2               Q.     I was just -- that's my next  
3 question.

4               Do you know what was paid to the  
5 entities, the Huberfeld and  
6 Bodner-affiliated entities in exchange for  
7 them just giving up their rights to  
8 millions of fees?

9               A.     I don't know.

10          Q.     Would it surprise you if there  
11 was a single answer which was there was no  
12 money paid? Would that surprise you?

13          A.     I honestly don't know. I don't  
14 want to speculate. There could have been  
15 some other consideration maybe that was not  
16 monetary. I have no idea.

17          Q.     Sure.

18               If you flip to Tab 3, have you  
19 seen that document before?

20          A.     No.

21          Q.     I'm just going to turn your  
22 attention to the third paragraph.

23          A.     I just don't understand the last  
24 part of that paragraph. Maybe there was  
25 something on this. It says here, in the

1 J. SanFilippo

2 Huberfeld were going to be sued was.

3 A. I'm going to tell you that -- I  
4 don't know how to answer this because I  
5 only have my personal knowledge, I don't  
6 necessarily have all the knowledge of  
7 Platinum Management. Based on my  
8 knowledge, I have no idea.

9 Q. Okay, and that's Platinum  
10 Management's response.

11 Sitting here today, you know that  
12 the ownership interests in Platinum  
13 Management, the Platinum family of  
14 companies, PPVA, PPCO, from when you worked  
15 there, 2005 to 2016, those were valuable  
16 interests, right?

17 A. They were, yes.

18 Q. Yeah.

19 65 percent of all the fees was  
20 hundreds of millions of dollars, right?

21 A. Potentially, yeah.

22 Q. No, in fact, though, fees were  
23 paid from 2005 to 2016, hundreds of  
24 millions, right?

25 A. I don't know that for a fact.